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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant (s): Chung P. Park
Application No.: 09/762,161

Filed: May 27, 1999

For: FOAMS USEFUL IN SOUND MANAGEMENT

Group Art Unit: 1711

Examiner: Unknown

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DATE OF SIGNATURE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to Applicant's duty of disclosure under 37 CFR §1.56, the Examiner's attention is directed to the information identified in the attached Form PTO 1449. A copy of all cited patents and printed publications is enclosed together with Form PTO-1449 listing the same, except for U.S. Patent 4,154,785, which is already of record in the International Search Report issued in the international phase of this application. Documents C1 to C4 provide bibliographic information on earlier published patent family members of certain cited U.S. patent documents. Documents C5 and C6 provide bibliographic information on intervening patent family members of certain cited U.S. patent documents.

A concise explanation of the relevancy of the non-English language patent(s) and/or publication(s) is provided by the attached English language abstracts published by Derwent. A complete translation of foreign language references will be provided upon request.

U.S. Patent No. 5,776,390 is a patent family member of EP 602,262. EP 602,262 is cited as particularly relevant (category "X") in the International Search Report issued during the international phase of this application. Applicant notes that Example 3 in Table 2 of that patent describes a foam that has a perforation density of 20,000 needles per square meter and that column 4, lines 27-28, teaches "pore sizes of 20-36" cells per inch (which according to applicant's calculations based on the



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described measurement method may approximate an average cell size in the range from 1.1 to 2.1 mm).

In addition, the assignee, The Dow Chemical Company, manufactures a polyethylene foam under the trademark ETHAFOAM™. ETHAFOAM™ is perforated at a perforation density of about 1.0 to 1.1 perforation per square centimeter to release blowing agent and manufactured at various plank widths. One grade of ETHAFOAM™ known as ETHAFOAM™ Nova was manufactured and sold prior to the September 17, 1998, priority date of this application with the aim to have an average cell size of 2.30 mm when the plank width is greater than one meter. For cell size measurements in each measurement direction used to calculate the average cell size (vertical, horizontal and in the extrusion direction), a manufacturing tolerance from a 2.00 mm minimum to a 2.70 mm maximum is specified. This manufacturing tolerance allows for variability from the 2.30 mm average cell size when the measurements in at least two of the three directions trend upward or downward from the 2.30 mm average cell size aim.

Dow also manufactured and sold ETHAFOAM™ products with smaller average cell size specifications prior to the priority date of this application, such as ETHAFOAM™ Nova in plank widths less than one meter and ETHAFOAM™ Select in various plank widths. Since that information is no more than cumulative to that provided above for ETHAFOAM™ Nova having plank widths greater than one meter, applicants believe additional information regarding those ETHAFOAM™ products need not be included here. If the examiner considers such information to be potentially material to the examination of this application, applicant will provide the same upon request.

Pending U.S. Patent Application Nos. 09/782,231; 09/783,574; and 09/802,383, and the U.S. national phase of PCT/US99/21569 (published as WO 00/15700), may be considered relevant to the examination of this application.

The Examiner is requested to review this information and formulate his own understanding thereof.

Respectfully submitted,

Dan R. Howard
Registration No. 30,070
Phone: (989) 636-7494

P. O. Box 1967
Midland, MI 48641-1967

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